

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

NO. CR20-184 RSL

Plaintiff

PROTECTIVE ORDER

PAUL HAMILTON.

Defendant.

This matter having come before the Court on a Stipulated Motion for Entry of a Discovery Protective Order, the Court hereby enters the following:

DISCOVERY PROTECTIVE ORDER

A. Definitions

As used in this Order, the term “Protected Information” means any date of birth, Social Security number, driver’s license number, bank account number, credit card number, personal identification number, address, telephone number, name and/or location of employment, criminal history record, background check, immigration history/status, and/or any other similar information or number implicating a privacy interest of and belonging to an individual, business, partnership, or corporation.

1 As used in this Order, the term “Protected Material” means any document or other
2 record containing or reflecting Protected Information.

3 **B. Permissible Disclosure of Protected Information and Protected Material**

4 The United States will make available copies of the Protected Material, including
5 those filed under seal, to defense counsel to comply with the government’s discovery
6 obligations. Possession of the Protected Material is limited to defense counsel, her
7 investigators, paralegals, assistants, law clerks, and experts (hereinafter collectively
8 referred to as “members of the defense team”).

9 Members of the defense team may review Protected Information and/or Protected
10 Material with the Defendant. The Defendant may visually inspect and review such
11 documents but shall not be allowed to possess Protected Information (such as unredacted
12 copies of Protected Material, notes, copies, or photographs of such Protected Material
13 containing Protected Information). The Defendant may possess documents from which
14 all Protected Information has been redacted. Notwithstanding the terms of this Order,
15 defense counsel may provide electronic copies of any Protected Material to the Education
16 Department in the Federal Detention Center at SeaTac, Washington, along with a
17 completed copy of the FDC’s Electronic Discovery and Legal Material Authorization
18 Form. Defendant will not be permitted to have a copy of this material in his cell, but may
19 review it at the FDC Education Department pursuant to BOP and FDC SeaTac’s policies
20 and procedures.

21 Members of the defense team may review or discuss the contents of documents
22 containing Protected Material with any prospective witness, as long as they do not share
23 the unredacted documents, or share any Protected Information with any prospective
24 witness.

25 **C. Consent to Terms of Protective Order**

26 The attorney of record for the Defendant is required, prior to disseminating any
27 copies of the Protected Material to permitted recipients, such as other members of the
28 defense teams, to provide a copy of this Protective Order to those permitted recipients,

PROTECTIVE ORDER

United States v. Hamilton, 20CR-184 RSM - 2

UNITED STATES ATTORNEY
700 STEWART ST., SUITE 5220

SEATTLE, WASHINGTON 98101
(206) 553-7970

1 and to obtain the written consent by those recipients of the terms and conditions of this
2 Protective Order. Such written consent shall not, however, be required with respect to
3 members of the defense teams who are employed by the same office as the attorney of
4 record; in such case, it shall be sufficient for the attorney of record to provide a copy of
5 this Protective Order to such other members of the defense teams and to remind them of
6 their obligations under the Order. The written consent need not be disclosed or produced
7 to the United States unless requested by the United States Attorney's Office for the
8 Western District of Washington and ordered by the Court.

9 **D. Parties' Reciprocal Discovery Obligations**

10 Nothing in this order should be construed as imposing any discovery obligations
11 on the government or the Defendant that are different from those imposed by case law
12 and Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

13 **E. Filing of Protected Material**

14 Any Protected Material that is filed with the Court in connection with pre-trial
15 motions, trial, sentencing, or other matter before this Court, shall be filed under seal and
16 shall remain sealed until otherwise ordered by this Court. This does not entitle either
17 party to seal their filings as a matter of course. The parties are required to comply in all
18 respects to the relevant local and federal rules of criminal procedure pertaining to the
19 sealing of court documents.

20 **F. Maintenance**

21 Members of the defense team shall keep any Protected Material secured whenever
22 the Protected Material is not being used in furtherance of their work in the above-
23 captioned case. All documents containing Protected Material shall be maintained
24 securely solely in the possession of defense counsel's law firm once all charges are
25 resolved by dismissal or by final conviction. The provisions of this Order shall not
26 terminate at the conclusion of this prosecution.

1 | **G. Modification**

2 | The parties agree that this Protective Order may be modified, as necessary, by
3 | filing with the Court a Stipulated Order Modifying the Protective Order, or by other order
4 | of the Court.

5 | DATED this 14th day of January, 2021.
6 |
7 |

8 | 
9 |

10 | Robert S. Lasnik
11 | United States District Court Judge
12 |
13 |

14 | Presented by:
15 |
16 |

17 | /s/ Marie Dalton
18 | MARIE M. DALTON
19 | Assistant United States Attorney
20 |
21 |
22 |
23 |
24 |
25 |
26 |
27 |
28 |

17 | /s/ Corey Endo
18 | COREY ENDO
19 | Counsel for Paul Hamilton
20 |
21 |
22 |
23 |
24 |
25 |
26 |
27 |
28 |